

POLITICAL PARTY QUALIFICATION PROCESS, REQUIREMENTS, AND HISTORY

The method by which political parties gain, and retain, qualified status in California is prescribed in the Elections Code in §§ 5000-5200.

In order to achieve initial qualified status, thereby allowing a political party to participate in a state-sanctioned primary election to nominate candidates for the November general election, a proposed political party must:

1. Hold a caucus or convention to elect temporary officers and designate a party name; § 5001(a)
2. File a formal notice with the Secretary of State, declaring that the political body has organized, elected temporary officers, and declared an intent to qualify as a political party pursuant to Elections Code §5100. This notice must include names and addresses of the temporary officers of the political body; § 5001(b)

and

3. No later than 135 days before the primary election in which they wish to participate, achieve a statewide registration with that party designated by registrants equaling at least 1% of the total votes cast at the preceding gubernatorial election; or § 5100(b)

No later than 135 days before the primary election in which they wish to participate, file with the Secretary of State a petition signed by voters equal in number to at least 10% of the total votes cast at the preceding gubernatorial election. § 5100(c)

Currently, in order to qualify by registration, a new party needs 88,991 registrants. To qualify by petition, 889,906 signatures are needed.

Once qualified, a political party maintains its qualified status by:

1. Retaining registrants representing at least 1/15 of 1% (.00067%) of the total state registration; and § 5101
2. Having one of its statewide candidates (running for Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Insurance Commissioner or United States Senator) receive at least 2% of the state vote cast for that office in the preceding gubernatorial election; or, § 5100(a)
3. Retaining statewide registration equaling at least 1% of the total votes cast at the preceding gubernatorial election. § 5100(b)

There are currently **six** qualified political parties in California. In addition to the **Democratic** and **Republican** parties, which have participated in state primary elections since 1910, six other parties have qualified since 1967. In 1968, both the **American Independent** Party and the Peace and Freedom Party qualified by the voter registration method; however, in 1998, the Peace and Freedom Party failed to meet the requirement that one of its candidates receive 2% of the vote and so lost its qualified status. The **Libertarian** Party achieved the requisite number of registrants in 1980; the **Green** Party reached the required number in 1992. In 1996, the Natural Law and the Reform parties garnered the requisite number of registered voters. In 2003, the **Peace and Freedom** party

regained its qualified status and the Reform Party failed to meet the requirements to retain its qualified status. The Natural Law Party lost its qualified status in 2006.

Since the statewide party nomination process began in 1910, eighteen parties have qualified to participate in primary elections, including:

* Democratic 1910-present	Progressive 1934-1938
* Republican 1910-present	Townsend 1938-1942
* Independence League 1910	Independent Progressive 1948-1954
* Prohibition 1910-1962	American Independent 1968-present
* Socialist 1910-1938	Peace and Freedom 1968-1998; 2003-present
Progressive (Bull Moose) 1912-1918	Libertarian 1980-present
Liberty 1932-1934	Green 1992-present
Commonwealth 1934-1938	Natural Law 1996-2006
Communist 1934-1944	Reform 1996-2002

Prior to 1910, many parties either conducted conventions or held primary elections to select their candidates for the statewide general election.

* The five parties whose names are preceded by an asterisk were active before 1910.

CANDIDATE QUALIFICATIONS AND INFORMATION OFFICES TO BE VOTED ON AT THE PRIMARY ELECTIONS

FEBRUARY 5, 2008 PRESIDENTIAL PRIMARY

Partisan Offices

<u>Office</u>	<u>Term of Office</u>	<u>Term Begins</u>	<u>Number of Districts</u>	<u>Qualifications</u>
President	4 yrs.	Jan 20, 2009 (12:00 noon)	N/A	Natural-born citizen of the United States, at least 35 years of age, resident of the United States for at least fourteen (14) years.

JUNE 3, 2008 STATEWIDE DIRECT PRIMARY

Partisan Offices

<u>Office¹</u>	<u>Term of Office</u>	<u>Term Begins</u>	<u>Number of Districts</u>	<u>Qualifications</u>
United States Representative in Congress	2 yrs.	Jan 3, 2009 (12:00 noon)	53	At least 25 years of age, registered voter, United States citizen for at least seven (7) years, resident of the California when elected.
State Senator	4 yrs.	Dec 1, 2008	20 (odd - numbered)	United States citizen, registered voter in the district at the time nomination papers are issued. ² May not have served two terms in the State Senate since November 6, 1990.
Member of the Assembly	2 yrs.	Dec 1, 2008	80	United States citizen, registered voter in the district at the time nomination papers are issued. ² May not have served three terms in the State Assembly since November 6, 1990.

¹Any candidate for state partisan office shall have been continuously registered with the political party the nomination of which he or she seeks for not less than three months prior to the time of presentation of his/her Declaration of Candidacy or, if eligible to register for less than three months, for as long as he or she has been eligible to register to vote in California. The candidate shall not have been registered as affiliated with a political party other than that party within twelve months immediately prior to the filing of the Declaration of Candidacy. This party affiliation requirement is not applicable for candidates of political parties participating in their first direct primary election subsequent to their qualification as political parties.

§ 8001

²Article IV, Section 2(c), of the California Constitution requires one year residency in the legislative district and California residency for three years. However, it is the legal opinion of the Secretary of State's office that these provisions violate the U.S. Constitution.